

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

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INTELLECTUAL PROPERTY LAW  
1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040

FACSIMILE: (303) 740-6962

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CENTRAL FAX CENTER****JUN 18 2008****FACSIMILE COVER SHEET**

Deliver to: Ludwig, Matthew J. Art Group: 2178

Company Name: USPTO

Facsimile No.: (571) 273-8300 Date: August 29, 2007

From: Mark L. Watson, Reg. No. 46,322

Our Docket No.: 8185P022 Number of pages 13 including this sheet.

Application: 09/475,963 Filing Date: 12/30/1999

**Subject**

Resubmission of RCE and Preliminary Amendment

**Remarks**

Attached please find a copy of our RCE and Preliminary Amendment previously filed on August 29, 2007 by facsimile, for the matter referenced above. This RCE does not show in PAIR as ever being received although we received a fax confirmation sheet showing it was transmitted successfully.

Please enter into PAIR and forward on to the Examiner for review, keeping the August 29, 2007 submission date.

Thank you.

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JUN-18-2008 11:29 From: BSTZ  
USPTO

3037406962  
8/30/2007 7:54:20 AM

To: USPTO  
PAGE 1/002 Fax Server

P.2/15

TO: Auto-reply fax to 3037 3962 COMPANY:



## Auto-Reply Facsimile Transmission

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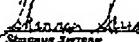
TO: Fax Sender at 3037406962

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Total Pages:

8/29/2007 5:35:11 PM [Eastern Daylight Time]  
12 (including cover page)

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|  |   |                            |                          |
|--|---|----------------------------|--------------------------|
| AUG-29-2007 15:34 From: BSTZ   | 3037406962                              | To: USPTO                  | P.1/12                   |
| BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP   |   |                            |                          |
| Telephone (213) 740-5900   |   | INTELLECTUAL PROPERTY LAW  | FACSIMILE (303) 740-5962 |
|  |   | 1279 ORANGEDALE PARKWAY    |                          |
|  |   | BONNEYVILLE, CA 94065-4840 |                          |
| FACSIMILE COVER SHEET  |   |                            |                          |
| Deliver to: Ludwig, Matthew J., USPTO  | Art Group: 2178                         |                            |                          |
| Facsimile No.: (311) 773-8300  | Date: August 29, 2007                   |                            |                          |
| From: Blakely Sokoloff Taylor & Zafman, Re: No. 46322  |   |                            |                          |
| On Docket No: 8185P022   | Number of pages 11 including this sheet |                            |                          |
| Application No: 09/475,963   | Filing Date: 12/30/1999                 |                            |                          |
| Docket Due Date(s): 8/29/2007  |   |                            |                          |
| Enclosed are the following documents:  |   |                            |                          |
| <input checked="" type="checkbox"/> Amendment (Explanatory) ( 1 page)<br><input type="checkbox"/> Appeal Brief ( 1 page)<br><input type="checkbox"/> Application ( 1 page) (whichever is applicable)<br><input type="checkbox"/> Assignment & Cover Sheet ( 1 page)<br><input type="checkbox"/> Certificate of ( 1 page)<br><input type="checkbox"/> Continuation Prosecution Application (One)<br><input type="checkbox"/> Declaration & POM ( 1 page)<br><input type="checkbox"/> Drawings ( 51446, 1 figure)<br><input type="checkbox"/> Ending on Time: _____<br><input type="checkbox"/> Fax Transmittal ( 1 page)<br><input type="checkbox"/> IDS & PTOS/BPAI ( 1 page)<br><input type="checkbox"/> Other: _____                             |   |                            |                          |
| <input type="checkbox"/> Issue Fee Transmittal<br><input type="checkbox"/> Notice of Appeal (or similar)<br><input type="checkbox"/> Petition for _____<br><input checked="" type="checkbox"/> Request for Continued Examination (RCE)<br><input type="checkbox"/> Reply Brief ( 1 page)<br><input type="checkbox"/> Request & Certification Under 35 USC 121(c)(2)(A)(ii)<br><input type="checkbox"/> Response to Request for Preliminary Amendment or Response to Notice of Missing Parts & Formal Office Action<br><input type="checkbox"/> Response to Written Opinion ( 1 page)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Transmittal of Publication Fee Due<br><input type="checkbox"/> Transmittal Letter |   |                            |                          |
| CERTIFICATE OF MAILING/TRANSMISSION/37 CFR 1.8(a)<br>I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.<br><br>Shaeene Jerome 8/29/2007<br>Date  |   |                            |                          |
| <small>Exclusivity Note: The document accompanying this facsimile transmission contains information from the law firm of Taylor &amp; Zafman which is confidential. The information is intended to be for the use of the individual or entity named in this transmission only. If you have received this document in error, please notify us by telephone immediately so that we can arrange for the return of the original document or give credit to you.</small>  |   |                            |                          |
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| PAGE 1/2 * RCVD AT 07/22/2007 08:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/31 * DNIS:2738300 * CSID:3037406962 * DURATION (min:ss):04:22   |   |                            |                          |

## Message Confirmation Report

AUG-29-2007 03:39 PM WED

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Xerox WorkCentre 4118 Series  
 Machine ID : BSTZ  
 Serial Number : YHT734040.....  
 Fax Number : 3037406962

Name/Number : USPTO / 915712738300  
 Page : 12  
 Start Time : AUG-29-2007 03:34PM WED  
 Elapsed Time : 05'18"  
 Mode : STD ECM  
 Results : O.K.

## BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP

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1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040

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## FACSIMILE COVER SHEET

Deliver to: Ludwig, Matthew J., USPTO Art Group: 2178  
 Facsimile No.: (571) 273-8300 Date: August 29, 2007  
 From: Mark L. Watson, Reg. No. 46,322  
 Our Docket No.: 8185P022 Number of pages 11 including this sheet  
 Application No.: 09/475,963 Filing Date: 12/30/1999  
 Docket Due Date(s): 8/29/2007

Enclosed are the following documents:

|  |   |
|--|---|
| <input checked="" type="checkbox"/> Amendment _____ ( ____ pgs)                | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( ____ pgs)                              | <input type="checkbox"/> Notice of Appeal (in duplicate)                          |
| <input type="checkbox"/> Application: _____<br>( ____ pgs) w/cover & abstract) | <input type="checkbox"/> Petition for: _____                                      |
| <input type="checkbox"/> Assignment & Cover Sheet ( ____ pgs)                  | <input checked="" type="checkbox"/> Request for Continued Examination (RCE)       |
| <input type="checkbox"/> Certificate of _____                                  | <input type="checkbox"/> Reply Brief ( ____ pgs)                                  |
| <input type="checkbox"/> Continued Prosecution Application (CPA)               | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Declaration & POA ( ____ pgs)                         | <input type="checkbox"/> Request to Amend Previous Nonpublication Request         |
| <input type="checkbox"/> Drawings: ____ sheets, ____ figures                   | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____                              | <input type="checkbox"/> Response to Written Opinion ( ____ pgs)                  |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)             | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input type="checkbox"/> IDS & PTO/SB/08 ( ____ pgs)                           | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> Other: _____  | <input type="checkbox"/> Transmittal Letter                                       |

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*Shannon Serrano* 8/29/2007  
 Shannon Serrano Date

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SUNNYVALE, CA 94085-4040

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CENTRAL FAX CENTER****FACSIMILE COVER SHEET****JUN 18 2008**Deliver to: Ludwig, Matthew J., USPTOArt Group: 2178Facsimile No.: (571) 273-8300Date: August 29, 2007From: Mark L. Watson, Reg. No. 46,322Our Docket No.: 8185P022Number of pages 11 including this sheet.Application No.: 09/475,963Filing Date: 12/30/1999Docket Due Date(s): 8/29/2007

Enclosed are the following documents:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment: <u>Preliminary</u> ( <u>8</u> pgs)           | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( <u>      </u> pgs)                                  | <input type="checkbox"/> Notice of Appeal (in duplicate)                          |
| <input type="checkbox"/> Application: _____<br><br>( <u>      </u> pgs) w/cover & abstract) | <input type="checkbox"/> Petition for: _____                                      |
| <input type="checkbox"/> Assignment & Cover Sheet ( <u>      </u> pgs)                      | <input checked="" type="checkbox"/> Request for Continued Examination (RCE)       |
| <input type="checkbox"/> Certificate of _____   | <input type="checkbox"/> Reply Brief ( <u>      </u> pgs)                         |
| <input type="checkbox"/> Continued Prosecution Application (CPA)                            | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Declaration & POA ( <u>      </u> pgs)                             | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Drawings: <u>      </u> sheets, <u>      </u> figures              | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____   | <input type="checkbox"/> Response to Written Opinion ( <u>      </u> pgs)         |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)                          | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input type="checkbox"/> IDS & PTO/SB/08 ( <u>      </u> pgs)                               | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
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Shannon Serrano

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# **FEE TRANSMITTAL for FY 2006**

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$ 790.00)

| <i>Complete if Known</i> |                    |
|--------------------------|--------------------|
| Application Number       | 09/475,963         |
| Filing Date              | December 30, 1999  |
| First Named Inventor     | Roger L. Buis      |
| Examiner Name            | Ludwig, Matthew J. |
| Art Unit                 | 2178               |
| Attorney Docket No.      | 8185P022           |

**METHOD OF PAYMENT** (*check all that apply*)

Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

**For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)**

Charge fee(s) indicated below

Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

## **FEE CALCULATION**

## **1. EXTRA CLAIM FEES**

| Total Claims          |    | Claims<br>below<br>3* | Fee Paid |
|-----------------------|----|-----------------------|----------|
| Independent<br>Claims | 14 | 0 x 50.00             | \$0.00   |
| Multiple Dependent    | 2  | 0 x 200.00            | \$0.00   |
|                       |    | =                     | =        |

| Large Entity        |          | Small Entity |          |  |
|---------------------|----------|--------------|----------|--|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) | Fee Description  |
| 1202                | 50       | 2202         | 25       | Claims in excess of 20                                   |
| 1201                | 200      | 2201         | 100      | Independent claims in excess of 3                        |
| 1203                | 360      | 2203         | 180      | Multiple Dependent claim, if not paid                    |
| 1204                | 790      | 2204         | 395      | "Reissue independent claims over original patent         |
| 1205                | 300      | 2205         | 150      | "Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (1)</b> |          |              | (S)      | 0.00   |

*"or number previously paid, if greater. For Reissuers, see below.*

## **2. ADDITIONAL FEES**

**Large Entity      Small Entity**

| <b>Fee Code</b>            | <b>Fee (\$)</b> | <b>Fee Code</b> | <b>Fee (\$)</b> | <b>Fee Description</b>                                       |
|----------------------------|-----------------|-----------------|-----------------|--|
| 1051                       | 130             | 2051            | 85              | Surcharge - late filing fee or cash                          |
| 1052                       | 50              | 2052            | 25              | Surcharge - late provisional filing fee or cover sheet.      |
| 2053                       | 130             | 2053            | 130             | Non-English specification                                    |
| 1251                       | 120             | 2251            | 60              | Extension for reply within first month                       |
| 1252                       | 450             | 2252            | 225             | Extension for reply within second month                      |
| 1253                       | 1,020           | 2253            | 510             | Extension for reply within third month                       |
| 1254                       | 1,590           | 2254            | 795             | Extension for reply within fourth month                      |
| 1255                       | 2,160           | 2255            | 1,080           | Extension for reply within fifth month                       |
| 1401                       | 800             | 2401            | 250             | Notice of Appeal   |
| 1402                       | 500             | 2402            | 250             | Filing a brief in support of an appeal                       |
| 1403                       | 1,000           | 2403            | 500             | Request for oral hearing                                     |
| 1451                       | 1,510           | 2451            | 1,510           | Petition to institute a public use proceeding                |
| 1450                       | 130             | 2460            | 130             | Petitions to the Commissioner                                |
| 1807                       | 50              | 1807            | 50              | Processing fee under 37 CFR 1.17(q)                          |
| 1806                       | 180             | 1806            | 180             | Submission of Information Disclosure Stmt                    |
| 1809                       | 790             | 1809            | 395             | Filing a submission after final rejection (37 CFR § 1.17)    |
| 1810                       | 790             | 2810            | 395             | For each additional invention to be examined (37 CFR § 1.17) |
| <b>Other fee (specify)</b> |                 |                 |                 |  |
| <b>RCE</b>                 |                 |                 |                 |  |

**Fee Paid**

**SUBTOTAL (2)**

**(S)** 790.00

**SUBMITTED BY**

Complete (if applicable)

|                   |   |                                      |        |           |                |
|-------------------|---|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Mark L. Watson  | Registration No.<br>(Attorney/Agent) | 46,322 | Telephone | (303) 740-1980 |
| Signature         |  |                                      |        | Date      | 08/29/07       |

Based on PTO/SB/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (W) 02/26/2007.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

